

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MALCOLM JEMMOTT,

Plaintiff,

v.

**9:13-CV-1020
(FJS/TWD)**

**ERIC VAN ALLEN and
EDWARD A. SHUMAN, JR.,**

Defendants.

JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT

Counsel having advised the Court that the above entitled action has been settled, or is in the process of reaching a settlement, it is unnecessary for the action to remain active on the Court's calendar. Therefore, the Court hereby

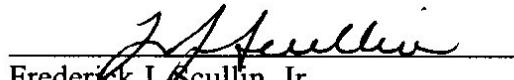
ORDERS that the action is dismissed **WITHOUT PREJUDICE** and that the Court will retain jurisdiction to vacate this Order and reopen the action for good cause shown that the settlement was not consummated and that further litigation is necessary, upon a motion by any party **within 60 days from the date of this order**; and the Court further

ORDERS that, if no motion is filed, the dismissal will become **WITH PREJUDICE** on the **61st day after the date of this Order**; and the Court further

ORDERS that, upon reaching a final settlement, the parties shall file, with the Court, a stipulation of discontinuance and/or a settlement agreement.

IT IS SO ORDERED.

Date: June 24, 2015
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge